

Appln. No.: 09/835,855
Amendment dated October 31, 2005
Reply to Office Action of June 29, 2005

REMARKS

The final Office Action of June 29, 2005 has been carefully reviewed and these remarks are responsive thereto. Claims 1-3, 6, and 9-24 are pending. Reconsideration and allowance of the instant application are respectfully requested. Claims 4-5 and 7-8 were previously cancelled.

This response is believed to place the application in better form for allowance or better form for appeal.

Claims 1, 2, 6, and 9-20 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,724,665 to Abbasi. Applicants traverse.

Claim 1 recites:

“1. A system for setting up base stations in relation to existing base stations comprising:

a first base station having a receiver, a processor, and a transmitter,

wherein said receiver receives signals from existing base stations, said processor adds said existing base stations to a list of base stations, said list of base stations includes at least two base stations, and said transmitter transmits said list to other base stations.”

Abbasi is cited by the Examiner as disclosing a system wherein a “processor adds said existing base stations to a list of base stations, and said transmitter transmits said list to other base stations” (Office Action, pages 2-3). Applicants respectfully disagree. Abbasi does not disclose the claimed transmission of a list of base stations to other base stations. The section quoted by the Examiner (column 4, lines 55-60) relates to a first base station sending a request to a second base station to have the first base station added to the second base station’s list.

In the Examiner’s response of page 5 to Applicant’s comments regarding Abbasi, the Examiner misinterpreted Applicant’s argument. Applicant argued in the Response of August 31, 2004, that Abbasi lacked the transmission of the list to other base stations. Applicant indicated that “Abbasi merely discloses a first base station requesting a neighboring station to place the first station on the neighboring station’s list.” In response, the Examiner indicated that:

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"6. Argument: Regarding claims 1 and 6, Applicant alleges that Abbasi do not disclose a first base station requesting a neighboring station to place the first station on the neighboring station's list.

Explanation: Examiner agrees with applicant. However, 'a first base station requesting a neighboring station to place the first station on the neighboring station's list' is not recited in claim 1."

The Examiner has taken Applicant's description of Abbasi as what claim 1 contains. This is incorrect. Applicant does not suggest that claim 1 relates to a first base station "requesting a neighboring station to place the first station on the neighboring station's list." Rather, as indicated before, that description relates to Abbasi, not claim 1.

In short, Abbasi fails to disclose the transmission of "a list of base stations to other base stations." Accordingly, because Abbasi fails to disclose each and every element of claim 1, Applicants submit that claim 1 is allowable.

Dependent claim 2 is independently allowable over Abbasi. The section referenced by the Examiner relates generally to handoff. There is nothing in that section or the rest of Abbasi that relates to a list of base stations including "candidate base stations and always handoff base stations." Accordingly, as Abbasi fails to disclose this recitation, claim 2 is allowable over Abbasi.

Claims 6 and 9-20 are allowable for at least these reasons.

Claims 3 and 21-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Abbasi in view of U.S. Patent No. 6,628,632 B1 to Dolan ("Dolan"). Applicants traverse.

Claim 3 is allowable for at least being dependent on claim 1.

Claim 21 recites:

" A method for setting up a base station ...:
... said second base station accepting or rejecting said first
base station's request;

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responsive to said accepting or rejecting step, adding said
first base station to said second base station's list of base stations
..."

Abbasi fails to teach or suggest the above exchange of information between base stations. Dolan relates to information exchange during an actual handoff process. Claim 21 relates to "setting up a base station". There is no teaching or suggestion in Dolan that relates to performing the claimed negotiations prior to handing off a call. Accordingly, as the combination of Abbasi and Dolan fails to teach or suggest the combination, claim 21 is allowable.

Dependent claims 22-24 are allowable at least for being dependent on claim 21.

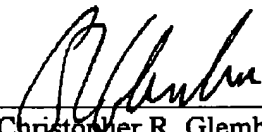
All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. Applicants hereby give authorization to charge any fee associated with this submission or any additional fee due to Deposit Account 19-0733. If there are any questions the Examiner is invited to contact the undersigned.

Respectfully submitted,

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Dated: October 31, 2005

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